

MONTANA LEGISLATIVE HISTORY

Chapter 193 1991

Bill H _____ S 305 Original bill & history ✓ c

H. Committee on Local Govt.

S. Committee on Local Govt.

Hearing Date(s) _____ c

Hearing Date(s) _____ c

3/13 ✓ c

_____ c

_____ c

2/19 ✓ c

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_____ c

Date Out 3/13 ✓ c

2/21 ✓

Did this bill originate in an interim committee? _____ Yes ✓ No

Committee _____

Report _____

2/07	INTRODUCED		
2/07	REFERRED TO JUDICIARY		
2/07	FIRST READING		
2/18	HEARING		
2/18	COMMITTEE REPORT—BILL PASSED		
2/20	2ND READING PASSED	49	0
2/21	3RD READING PASSED	48	0
	TRANSMITTED TO HOUSE		
3/04	FIRST READING		
3/04	REFERRED TO JUDICIARY		
3/13	HEARING		
3/14	COMMITTEE REPORT—BILL CONCURRED		
3/16	2ND READING CONCURRED	90	0
3/18	3RD READING CONCURRED	97	1
	RETURNED TO SENATE		
3/22	SIGNED BY PRESIDENT		
3/23	SIGNED BY SPEAKER		
3/25	TRANSMITTED TO GOVERNOR		
3/29	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 284		
			EFFECTIVE DATE: 10/01/91

SB 305 INTRODUCED BY ANDERSON, ET AL.

ALLOW MULTIJURISDICTIONAL SERVICE DISTRICT TO
PROVIDE AMBULANCE SERVICE

2/07	INTRODUCED		
2/07	REFERRED TO LOCAL GOVERNMENT		
2/07	FIRST READING		
2/19	HEARING		
2/22	COMMITTEE REPORT—BILL PASSED		
2/23	2ND READING PASSED	49	0
2/25	3RD READING PASSED	49	0
	TRANSMITTED TO HOUSE		
3/04	FIRST READING		
3/04	REFERRED TO LOCAL GOVERNMENT		
3/05	FISCAL NOTE RECEIVED		
3/13	HEARING		
3/14	COMMITTEE REPORT—BILL CONCURRED		
3/14	PLACED ON CONSENT CALENDAR		
3/16	3RD READING CONCURRED	96	0
	RETURNED TO SENATE		
3/21	SIGNED BY PRESIDENT		
3/22	SIGNED BY SPEAKER		
3/23	TRANSMITTED TO GOVERNOR		
3/27	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 193		
			EFFECTIVE DATE: 10/01/91

SB 306 INTRODUCED BY KEATING, ET AL.

DELETE RESTRICTIONS REGARDING MEDICAID PAYMENT FOR
PROFESSIONAL COUNSELING

2/07	INTRODUCED		
2/07	FISCAL NOTE REQUESTED		
2/08	REFERRED TO PUBLIC HEALTH, WELFARE & SAFETY		
2/08	FIRST READING		
2/11	FISCAL NOTE RECEIVED		
2/12	FISCAL NOTE PRINTED		
2/15	HEARING		
2/16	COMMITTEE REPORT—BILL PASSED		
2/19	2ND READING PASSED	50	0
2/20	3RD READING PASSED	49	0

TRANSMITTED TO HOUSE

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Senate BILL NO. *305*

INTRODUCED BY

Anderson Hoffman

A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING
MULTIJURISDICTIONAL SERVICE DISTRICTS TO PROVIDE AMBULANCE
SERVICE; AND AMENDING SECTION 7-11-1102, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 7-11-1102, MCA, is amended to read:

"7-11-1102. Services that may be provided. (1) A
multijurisdictional service district may provide only those
services that are authorized to be provided by local
governments.

(2) The services that a multijurisdictional service
district may provide are:

(a) recreation programs other than park and recreation
programs in a county park district established under Title
7, chapter 16, part 24;

(b) road, street, and highway maintenance;

(c) libraries;

(d) jails; and

(e) dog control programs; and

(f) ambulance service."

-End-

SENATE LOCAL GOVERNMENT COMMITTEE

February 19, 1991

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HEARING ON SB-305

Presentation and Opening Statement by Sponsor: Senator John Anderson, District 37, said he sponsored a simple bill that comes from the model city of Montana, West Yellowstone. The bill explains itself. The title tells you that it authorizes multijurisdictional ambulance service. The first section provides for the services. #2 provides for the multijurisdictional services that may be provided. The bottom of the bill just adds ambulance service to the list.

Proponents' Testimony: Mayor Carol Janson, West Yellowstone, supported this bill (Exhibit #10).

Ken Davis, Director, West Yellowstone Ambulance Service, supported this bill (Exhibit #11).

Cal Dunbar, Volunteer, Wyoming Ambulance, supported this bill by explaining the boundaries of the area where services are rendered by West Yellowstone ambulance service (Exhibit #12).

Alec Hanson, MLCT, said that the association endorsed this bill last fall. West Yellowstone has a unique need to be able to provide ambulance service to such a wide area. This law has been used for other services, and this is what it was enacted for, so let's use it. Mr. Hanson presented a copy of the existing law for funding ambulance services (Exhibit #13). This does not address West Yellowstone's problem.

Gordon Morris, Executive Director, MACo, said this bill came about by legislation in the 1985 session introduced by MACo. He said the association had no problem with this bill. He did suggest that the bill from 1985, that this section of law could be amended to prevent what is happening here today from ever happening again. That would be to take the bill beginning on Page 1, line 14, and strike everything clear on through. This would leave it a clear case that the multijurisdictional service district may be authorized in cases where local governments already are authorized, to provide a service. Otherwise in two years, we'll be back to asking you to add something else to it. It was MACo's intent to give broad discretionary authority to cover these types of cases.

Bill Howell, West Yellowstone City Council, said that the committee has heard all the reasons for them wanting this. And all that you have heard about West Yellowstone in the last three years, we should be rolling in dough down there, so why would we

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SENATE LOCAL GOVERNMENT COMMITTEE

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need this amended to have a multijurisdictional opportunity to work with the county. He pointed out that the legislation in 1985 that provided the local resort tax was very generous. He told the committee what has been done with the money, and why they need ambulance added to this opportunity. West Yellowstone has bonded \$4 million dollars in our street projects against our revenue stream from our resort tax. We have a storm sewer project and street project both totaling over \$4 million dollars. We also have a waste water project going on now in phase 1, 2, & 3 are over \$500,000 which part of the money will come from the resort tax. Then we just completed a \$1.2 million dollar water improvement project where we now have city municipal water. They is being funded by user fees. The point is that the resort tax is fairly well obligated through the bonding against it, so that revenue stream is not readily available for this project. They also want to point out that the law sure can take care of dogs, but we can't take care of sick people. That's what we want you to remember because that is what we are trying to accomplish.

R. Mark Zandhuisen, President, Montana Emergency Medical Services Association, faxed a letter of support (Exhibit #14).

Opponents' Testimony: none

Questions From Committee Members:

Senator Thayer asked Mr. Morris asked if it would be possible to amend this bill to cover ambulance or any other essential service? Mr. Morris said that would be o.k., but then there would probably be debate, requiring the Attorney General's Opinion, of what qualified for "other essential services". In 1985, this bill got all hung up over trying to identify what services would qualify services to be covered under this particular legislation. The argument was if it was a service that currently is provided by a local government, then they ought to have the option of doing it on a multijursidictional basis, period. We added dogs for Paul Pestoria, ambulance for West Yellowstone, what next year? No disrespect, but it could be for one of you here, next year.

Senator Eck asked Mr. Morris if the bill as presented in 1985 did it still only have those services that are authorized or did it have any services? Mr. Morris said it had only those services authorized.

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SENATE LOCAL GOVERNMENT COMMITTEE

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Closing by Sponsor: Senator Anderson said that the bill received a good hearing. West Yellowstone officials have answered the questions, and he was sure the committee could see the real need for this bill. You know that West Yellowstone is an isolated area, and they have a real need to be able to set up a district of this kind. He urged the committees support of SB-305.

HEARING ON SB-334

Presentation and Opening Statement by Sponsor: Senator Ethel Harding, District 34, said this bill does two things: #1 it changes the form of liability for county officials, and #2 it changes the person responsible for the liability. Most of you understand line item, and this bill changes the liability for a line item to a department total, and the responsible official. At present it is the county commissioners or county clerks and recorders are responsible and liable for overage on the line item. As a past clerk and recorder, she knew how nervous you could get about outstanding bills from other departments, and you're responsible for an overage in someone else's department total. It's enough to be responsible for your own total, but to be responsible for someone else's is not right. In her county, Lake County, she was so nervous that she started a purchase order system to try to track expenditures.

Proponents' Testimony: Betty Lund, Ravalli County Clerk & Recorder, supported this bill by presenting her own budget with a line item overage. (Exhibit #15, 15A).

Gordon Morris, MACo, had reviewed this bill and they support it.

Opponents' Testimony: none

Questions From Committee Members:

Senator Kennedy asked if this is in the city law? He said that you could go over on the line item, as long as you were not over at year end. Senator Bengtson said this could probably be settled in Executive Action on Thursday, February 21, 1991.

Senator Thayer asked Senator Harding if current law says that you are liable at any point in time you are over, or is it just for the fiscal year. Senator Harding said it is for the fiscal year,

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SCRIPT FOR HEARING

EXHIBIT NO. 10DATE 2-19-91

HEARING - AMBULANCE DISTRICT

BILL NO. SB-305SB # 305

Greetings to Chair, Committee from Mayor

Background:

West Yellowstone is in the ambulance business where most small rural communities depend on volunteer ambulance services.

We realize we are not required under the law to provide this service, however, we have many people travel through our town and we are located in a very remote area as far as services are concerned. We pay for our remoteness. Example: Town copy machine, we pay a service man approximately \$200.00 to come to West to replace a .78 cent part because of our remoteness. The nearest hospital to West Yellowstone is 91 miles one way.

VOLUNTEERS in most communities can expect to put in 1 or 2 hours when they go out on a call. Our volunteers need to expect to put in 4 1/2 to 5 hours a call. We believe that is why we ended up in the ambulance service in West Yellowstone, with two paid employees.

Our reason for wanting a rural ambulance district is so that we can ask the people who live outside the town limits to help pay for the service provided. As it stands right now, the people in West Yellowstone end up paying about \$20,000. a year (uncollected bills) for the privilege of providing this service. This of course is the age old problem of getting everyone who uses a service or who depends on a service to be available to share equally in the payment of those services. Our rural people are as remote as we are from medical services. When they call the ambulance they expect us to answer that call. As the situation stands now, we could be sued and we would loose if we didn't answer the call, and yet the people within the Town limits are the ones paying for the service.

We are in the process of enhancing our billing process and our collection process. We have just recently become a billing merchant with Mastercard-/Visa.

We would probably anticipate forming the district along the school district boundaries.

About two weeks ago I visited with Jane Jelinski, President of the Gallatin County Commissioners and she said they most heartily support our efforts.

The law set up under 7-11-1101 through 7-11-1112 already spells out in detail how the process would work in establishing this multi-jurisdictional service district and all we are asking is that under 7-11-1102 be added letter (f) ambulance.

Chair Senator Benigton and committee I thank you for your consideration in this matter.

SENATE LOCAL GOVT. COMM.

EXHIBIT NO.

DATE

BILL NO.

11

2-19-91

SB-305

Feb. 17, 1991

In support of SB 305

Senator Bengston, Committee
Thanks for opportunity

^{Volunteer}
I am Ken DAVIS, Dir. of
W.Y. Ambulance Service.

Our town needs this
Amendment.

The reason we need this
bill are simple. The
people of West Yellowstone
are supporting AW
Ambulance service for
themselves and residents
in an area well in excess of
320 Sq. mi. outside of
the town limits in
Gallatin County.

Outside of the town Proper

— There are a dozen subdiv.

— 85 Summer homes in
The Gallatin National
Forest

— 4 Forest Service Camp-
grounds

— A large motel, numerous
guest ranches, the states
second largest KOA

— 13,000 acre Hebgen Lake

— All of these require
emergency health service
at one time or another

- 3 -

NONE of them presently
the Ambulance Service.

TOWN PEOPLE pay the
cost for running the
Service for Tourists &
Seasonal residents who
live out of town.

The town gov't. is
doing all it can to help
collect on our services
bills but income does
not keep pace with
expenses.

We have an aggressive
collection system we even
take unstar card

- 4 -

But payment for health care
is slow -

Few other rural ambul.
services in Montana are
responding to over 100
calls per year.

An average bill for an
Ambulance ride from WY
to a well equipped hospital
is, on average, \$600.

We run a good service.
We try to keep expenses low,
we have 2 hire responders
and approx. ¹⁵ ~~10~~ volunteers

The town Govt broke
down and bought a new
amb. last year because
we

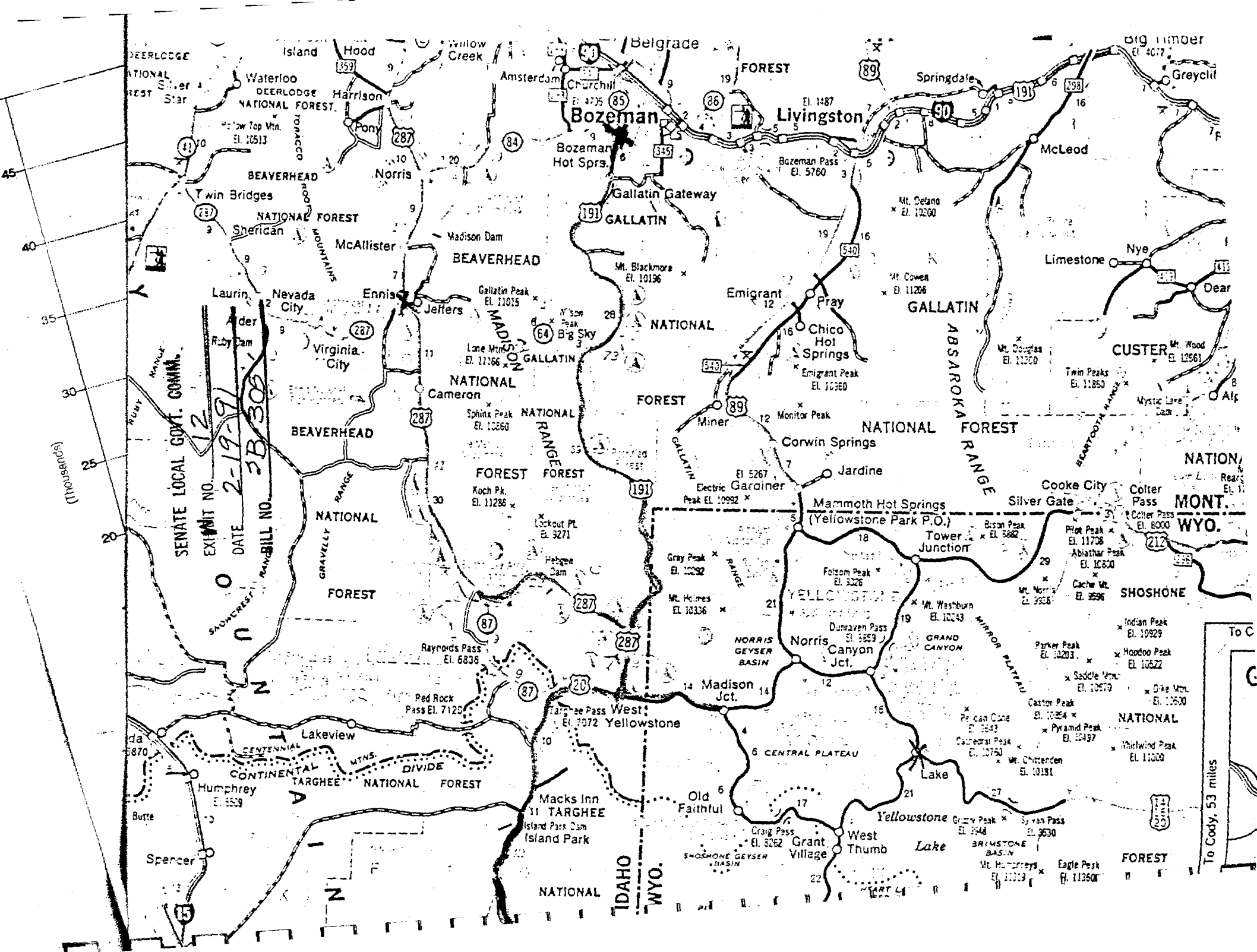
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Ran the wheels off over and
it was no longer reliable -
The new one costs \$60,000
We need to replace another
older unit soon -

This bill will benefit
residents & visitors alike

It will spread costs over
a larger area keeping
costs to individual taxpayers
down.

It will help us continue
to provide a needed service,
when its needed, to residents
and visitors alike



7-34-2162. Hearing on petition for dissolution — notice.

7-34-2163. Decision on dissolution petition.

DATE 2-19-91

7-34-2164. Effect of dissolution.

BILL NO. SB-305**Part 22 — County Hospital Services**

7-34-2201. Erection and management of county hospital.

7-34-2202. Hospital commission.

7-34-2203. Provision of care for indigent and nonindigent sick.

7-34-2204. Lease of county property for hospital purposes.

**Part 23 — County Boarding and Nursing Homes
for the Aged**

7-34-2301. Construction and operation of county boarding or nursing home authorized.

7-34-2302. Nature of services provided.

7-34-2303. Lease of county property for boarding or nursing home.

**Part 24 — Financing of County-Operated Hospitals
and Nursing Homes**

7-34-2401. Depletion allowance reserve fund authorized.

7-34-2402. Sources of money for depletion allowance reserve fund.

7-34-2403. Accumulation of reserve fund.

7-34-2404. Investment of reserve fund.

7-34-2405 through 7-34-2410 reserved.

7-34-2411. Hospital and nursing home bonds authorized.

7-34-2412. Applicability.

7-34-2413. Limitations on bond authority.

7-34-2414. Election required on question of issuance of bonds.

7-34-2415. Details of bonds.

7-34-2416. Tax-exempt status of bonds.

7-34-2417. Special tax levy authorized.

7-34-2418. General tax to support bonds authorized.

**Part 25 — Multicounty Operation of Hospitals
and Nursing Homes**

7-34-2501. Definitions.

7-34-2502. Joint institutions authorized.

7-34-2503. Contract for joint institution.

7-34-2504. Division of costs among counties.

Parts 26 through 40 reserved**Part 41 — Municipal Hospital Services**

7-34-4101. Detention hospitals.

Chapter Cross-References

Hospitals and related facilities, Title 50, ch. 5.

State assumption of county public assistance
programs, Title 53, ch. 2, part 8.**Part 1****Ambulance Services****Part Cross-References**Ambulance service licensing, Title 50, ch. 6,
part 3.**7-34-101. Ambulance services authorized.** A county, city, or town,
acting through its governing body, may establish and maintain an ambulance

service for such county, city, or town. Any county, city, or town may contract with any county, city, or town to establish and maintain a joint ambulance service and to share the costs, such costs to be apportioned according to the benefits to accrue, with the proportion to be paid by each to be fixed in advance by joint resolution by the respective governing bodies, if the governing body has received a petition signed by 15% of the electors registered to vote in the county, city, or town at the last preceding general election or in each of the counties, cities, or towns wherein a joint ambulance service is being established.

History: En. Sec. 1, Ch. 238, L. 1961; amd. Sec. 1, Ch. 162, L. 1967; R.C.M. 1947, 69-3601(part).

Cross-References

Interlocal agreements, Title 7, ch. 11, part 1.

7-34-102. Special mill levy permitted. In addition to all other levies authorized by law, each county, city, or town may levy an annual tax up to 1 mill on the dollar of the taxable value of all taxable property within the county, city, or town to defray the costs incurred in providing ambulance service.

History: En. Sec. 1, Ch. 238, L. 1961; amd. Sec. 1, Ch. 162, L. 1967; R.C.M. 1947, 69-3601(part).

Cross-References

Authority to levy special taxes and assessments, 7-6-4406.

7-34-103. Manner of providing ambulance service. If a county, city, or town establishes or maintains such ambulance service it may, acting through its governing board:

- (1) operate the service itself or contract for such service;
- (2) buy, rent, lease, or otherwise contract for vehicles, equipment, facilities, operators, or attendants;
- (3) adopt rules and establish fees or charges for the furnishing of such ambulance service.

History: En. Sec. 2, Ch. 238, L. 1961; R.C.M. 1947, 69-3602.

Cross-References

Municipal contracts and franchises, Title 7, ch. 5, part 43. Cooperative agreements — ambulance services, 50-6-304.

7-34-104. Certain ambulance services unaffected. The provisions of this part shall in no way affect county, city, or town ambulance service in operation on March 14, 1961.

History: En. Sec. 3, Ch. 238, L. 1961; R.C.M. 1947, 69-3603.

Parts 2 through 20 reserved

Part 21

Hospital Districts

Part Cross-References

County tax levy for nursing homes and hospital facilities, 7-6-2512.

Procurement of architectural, engineering, and land surveying services by governmental entities, Title 18, ch. 8, part 2.

Hospitals and related facilities, Title 50, ch. 5.

SENATE LOCAL GOVT. COMM.

EXHIBIT NO. 14DATE 2-19-91BILL NO. SB-305

MONTANA EMERGENCY MEDICAL SERVICES ASSOCIATION
P.O. Box 30336
Billings, MT 59107
(800) 247-2369

DATE: February 19, 1991

TO: Senate Local Government Committee
Senator Benggson, Chair

SUBJECT: Testimony Concerning SB305

Please verbally enter the following into the Senate Local Government Committee hearing concerning SB305.

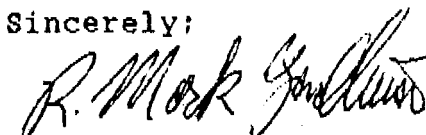
The Montana Emergency Medical Services Association Inc. (MEMSA) is the professional organization of Emergency Medical Technicians (EMTB,D,I,P) in our state. Membership is voluntary and consists of over 800 members. The majority are associated with rural volunteer emergency medical service (EMS) organizations.

Montana, being a rural, sparsely populated state, depends on volunteer emergency medical services organizations to assure that EMS is available when needed. We applaud Senator Anderson and Representative Hoffman for introducing SB305, a bill that we feel supports emergency medical services (EMS) and will be beneficial to the quality and availability of care provided.

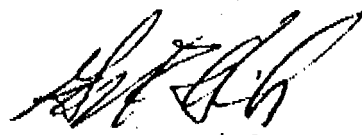
MEMSA is in support of this bill, however we feel the language of the bill excludes an intricate part of the EMS team. Specifically the use of the words "Ambulance Service" creates the exclusion of nontransporting medical units, commonly known as Quick Response Units (QRU's), such as those located in Alder, Virginia City, Twin Bridges and many other rural areas throughout our state. These nontransporting medical units provide rapid initial care until the ambulance arrives having a tremendous positive impact on the patients outcome. The method we recommend to alleviate this exclusion is to replace the words "Ambulance Service" with the definition of a licensed emergency medical service as provided in the EMS Licensing Law (50-6-302 section 5).

Thank you for consideration of this issue.

Sincerely;



R. Mark Zandhuisen



Gary R. Haich

SENATE LOCAL GOVERNMENT COMMITTEE

February 21, 1991

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EXECUTIVE ACTION ON SB-305

Discussion: Senator Bengtson said Senator Anderson did not want this bill amended.

Senator Eck suggested that a section g. "or other essential service" would keep this case from coming to the Legislature again.

Motion: Senator Thayer moved to Do Pass SB-305. The vote was unanimous and recorded as a roll call vote.

EXECUTIVE ACTION ON SB-334

Discussion: Senator Harding recapped the testimony about this bill from Betty Lund, Ravalli County Clerk and Recorder. She explained the need for department heads to be responsible for their budgets that they prepare and request, not the county commissioners and the clerk & recorder. She clarified that major expenses like a hike in gasoline would be an item that a department head would bring to the county commissioners to consider an emergency budget for.

Motion: Senator Harding moved to Do Pass SB-334. The vote was unanimous and recorded as a roll call vote.

EXECUTIVE ACTION ON SB-302

Amendments, Discussion, and Votes: C. Erickson explained the amendments requested by Senator Kennedy and Senator Eck (Exhibit #3, #4). Senator Eck's amendments were proposed by MACo, and they change two things: #1 a primitive road is now a county primitive road, #2 it struck all new language defining a county road. The rest of the amendments were technical requirements resulting from the first two amendments. Senator Kennedy's amendments relate to abandonment procedures. These amendments require that a county road to be abandoned, that provides access to state or public lands, must first be offered to the adjacent landowner or the original landowner that donated it. Senator

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ROLL CALL VOTE

SENATE COMMITTEE LOCAL GOVERNMENT

Date 2-21-91 Bill No. SB-305 Time 4:48

NAME	YES	NO
SENATOR BECK	X	
SENATOR BENGTON	X	
SENATOR ECK	X	
SENATOR HAMMOND	X	
SENATOR HARDING	X	
SENATOR KENNEDY	X	
SENATOR THAYER	X	
SENATOR VAUGHN	X	
SENATOR WATERMAN	X	

JOYCE INCHAUSPE-CORSON

Secretary

ESTHER BENGTON

Chairman

Motion: DO PASS SB-305

REP. GOULD asked Vern Erickson if city retirees were on social security. Mr. Erickson stated fire fighters are not eligible for social security. Their pension benefits are granted through unified fire retirement systems.

REP. WALLIN asked Alec Hansen if there were any other public employees that get this type of break. Mr. Hansen said police officers get the difference between their gross salary and weekly compensation benefits. This has been a real problem because the compensation benefit is not taxable. When you add the difference between \$299 and gross salary, a disabled police officer makes more at home than he does on the job. This has been a disincentive to return to work. This is the reason for the amendment. REP. WALLIN asked how this affected volunteer firemen and if the Legislature was mandating a cost without providing funding. Mr. Hansen said it did not apply to volunteers and the Legislature would be mandating a cost. The cities and town are recognizing this as a fair benefit and can manage it. The cost will not be significant. REP. SIMPKINS asked if police officers have similar laws on the books at present. Mr. Hansen said yes. REP. SIMPKINS asked what type of commercial disability insurance is available for fire fighters. Mr. Hansen said the majority of the firemen are covered by workers' compensation that the cities and towns operate. Volunteers covered by a disability program. This would not apply to disability insurance. REP. SIMPKINS said if they are negotiating in contract with cities currently and asked why does the state get involved. Mr. Hansen said at a workers' compensation rate of \$299, if a senior firefighter is hurt, he could be losing \$20 to \$30 a week. The bill is to protect the wages of firemen for a period of one year.

REP. DARKO asked Mr. Hansen how many first and second class cities would be covered under this law. Mr. Hansen said 10. REP. DARKO asked what is the incidence of injury to firemen in the last five years. Mr. Hansen said he wasn't sure but felt the usage of the bill would be low. REP. SIMPKINS asked if any city that can't put this into effect without the law. Mr. Hansen said that all cities could negotiate.

Closing by Sponsor:

SEN. FRITZ said that SB 276 is a mandate, but we are not talking much money. He asked that REP. S.J. HANSEN carry the bill.

HEARING ON SB 305

Presentation and Opening Statement by Sponsor:

SEN. ANDERSON, Senate District 37, Alder, said SB 305 will amend the law that would allow ambulance service in multijurisdictional districts. It would provide ambulance service into Yellowstone Park. The nearest hospital is Bozeman.

Proponents' Testimony:

Alec Hansen, Montana League of Cities and Towns, said that at their annual meeting they adopted a resolution supporting SB 305. The West Yellowstone situation is perfect for the application of this law. A city or county can set up an ambulance service or a city and county together. There is no provision for a city and part of a county. This bill would allow West Yellowstone to provide a needed service.

Gordon Morris, Montana Association of Counties, supported SB 305.

Opponents' Testimony: None

Questions From Committee Members:

REP. SIMPKINS asked Alec Hansen if they were talking about an unincorporated area. Mr. Hansen said it would be an unincorporated area of Gallatin County, Madison County, and the town of West Yellowstone. REP. SIMPKINS said West Yellowstone is an incorporated city and asked if they could provide ambulance service on their own. Mr. Hansen said they can provide ambulance service within West Yellowstone. The levies would only be imposed on properties in the city. This allows a district to be set up and the levy would be applied district wide so that people who get the service outside the city pay a fare share.

Closing by Sponsor:

SEN. ANDERSON said there was a need for SB 305. This will enable West Yellowstone to establish a district and get more support. He said that REP. HOFFMAN would carry the bill.

HEARING ON SB 357**Presentation and Opening Statement by Sponsor:**

SEN. BECK, Senate District 24, Deer Lodge, stated SB 357 would require the Department of Health and Environmental Sciences to consult with local governments when licensing solid waste management facilities.

Proponents' Testimony:

Gordon Morris, Montana Association of Counties, said SB 357 puts language in the current public policy section of the law that states the DHES will consult with local government officials when licensing solid waste management facilities. It is good policy for the County Commissioners to have a voice and to be able to affect decisions in regard to siting solid waste facilities.

Opponents' Testimony: None

Questions From Committee Members: None

Closing by Sponsor:

SEN. BECK asked for the committee's concurrence and that REP. McCAFFREE carry SB 357.

EXECUTIVE ACTION ON SB 357

Motion/Vote: REP. SIMPKINS MOVED SB 357 BE CONCURRED IN AND PLACED ON THE CONSENT CALENDAR. Motion carried unanimously.

EXECUTIVE ACTION ON SB 305

Motion/Vote: REP. CROMLEY MOVED SB 305 BE CONCURRED IN AND PLACED ON THE CONSENT CALENDAR. Motion carried unanimously.

EXECUTIVE ACTION ON SB 367

Motion/Vote: REP. WALLIN MOVED SB 367 BE CONCURRED IN AND PLACED ON THE CONSENT CALENDAR. Motion carried unanimously.

EXECUTIVE ACTION ON SB 276

Motion/Vote: REP. WALLIN MOVED TO TABLE SB 276. Motion failed by voice vote.

Motion: REP. DARKO MOVED SB 276 BE CONCURRED IN.

Motion: REP. DARKO moved to amend SB 276. EXHIBIT 2

Discussion:

REP. GOULD asked REP. DARKO if "local" should be left in and add "local and federal" in case they end up with local option taxes. REP. DARKO said she would leave that up to the committee.

REP. SIMPKINS asked Bart Campbell what would happen if they just said "income taxes". Mr. Campbell that it would be interpreted as all income taxes.

Motion: REP. DARKO moved to amend her motion and add "federal". Motion carried unanimously. EXHIBIT 3

Motion/Vote: REP. DARKO MOVED SB 276 BE CONCURRED IN AS AMENDED.

Discussion:

REP. McCAFFREE stated he was concerned with the ripple effect the bill is going to have. It will continue to grow into other areas. REP. S.J. HANSEN disagreed because firefighters are unique in the work they do. They put their lives in jeopardy when no one else would. They are entitled to this compensation.

HOUSE OF REPRESENTATIVES
LOCAL GOVERNMENT COMMITTEE

ROLL CALL

DATE 3-13-91

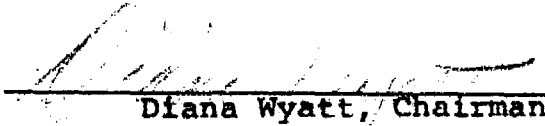
NAME	PRESENT	ABSENT	EXCUSED
Rep. Paula Darko	X		
Rep. Jessica Stickney, Vice-Chair	X		
Rep. Joe Barnett	X		
Rep. Arlene Becker	X		
Rep. Vivian Brooke	X		
Rep. Dave Brown	X		
Rep. Brent Cromley	X		
Rep. Tim Dowell	X		
Rep. Budd Gould	X		
Rep. Stella Jean Hansen	X		
Rep. Harriet Hayne	X		
Rep. Ed McCaffree	X		
Rep. Tom Nelson	X		
Rep. Jim Rice		X	
Rep. Sheila Rice	X		
Rep. Richard Simpkins	X		
Rep. Norm Wallin	X		
Rep. Diana Wyatt, Chair	X		

HOUSE STANDING COMMITTEE REPORT

March 14, 1991

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Mr. Speaker: We, the committee on Local Government report that Senate Bill 305 (third reading copy -- blue) be concurred in and be placed on consent calendar .

Signed: 
Diana Wyatt, Chairman

Carried by: Rep. Hoffman